Chicago Tribune.

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Irish Sympathy with Chicago.

Meeting of Americans.

From Our European Correspondent.

LONDON, Oct. 19.

Evidence of sympathy for the sufferers by the fire would gladly be welcomed by every Irishman or Irishwoman who was in the habit of reading the daily papers. The presence of a great calamity in the midst of a people, and make a strong appeal for help. The news of the outbreak of the fire in this country, we were expecting, and, as a few hours, arrangements for showing sympathy with the people of Chicago in a practical and unmistakable manner in the settlement immediately at the present moment when the attention of all the centres of commerce is riveted with such other attention to the popular sentiment. Nor was it supported by the weekly press, but by the time this letter can reach the authorities of Chicago will have had the satisfaction of knowing that the sufferers in their misfortune is interesting materially and practically by the American people. The Irish have been heavy purses, the newspapers have been filled to overflowing with the appeals for help, and the sympathy of the people has been shown in a little more than a week. Another circumstance worthy of note is the fact that the Irish

The Chicago Tribune.

FRIDAY, NOVEMBER 3, 1871.

INDICTING SHERIDAN.

A special dispatch from our Springfield correspondent mentions a street rumor that Governor Palmer has written to Attorney General Bushnell, calling his attention to the recent shooting of Colonel Grosvenor, by young Treat, the university student, while on patrol duty, and directing him to search out the facts in the case, and procure an indictment against Lieutenant General Sheridan, Frank T. Sherman, and any others directly connected with the killing; and, further, that the Governor has written a letter to Mayor Mason, of this city, protesting against his action with reference to the military occupation of Chicago, both during and since the fire.

In regard to both these rumors, it is only charitable to the common sense, as well as legal attainments, of Governor Palmer, to pronounce them false. If Governor Palmer has issued any such instructions to his Attorney General, he has already exceeded his duties. He has no more authority to instruct a grand jury in this district, as to its duties in this matter of prosecutment, than any private citizen has. The Attorney General has no more power in the premises than the Governor. The State's Attorney for this circuit has no authority to move an indictment, or to do aught except as the agent and officer of the grand jury, and then it is only restricted of him to furnish the jury with the law, when asked for by them, in the usual form, and to draw up the indictment, which they find. The authority to instruct a jury de novo is vested only in the Judge of the court in which they are called to sit. The presentment may be inspired there, but not in Springfield or Ottawa or elsewhere. The instructions must emanate from the Judge of the court in which they are sitting, not from the Governor of Illinois. The legal adviser of the jury is the State's Attorney, not the Attorney General. Hence the whole absurd rumor falls to the ground, whether the Governor has exceeded his authority or not.

The only effect of these Springfield rumors has been to give the Chicago *Times* another opportunity to vent its empty wrath against General Sheridan and all other who were in any way instrumental in preserving peace and order during the memorable fire week. Nothing condnced so much to restore the courage of our citizens and to create a feeling of security as the knowledge that General Sheridan had taken command of the burnt district at the Mayor's request, and that he had troops here to preserve private as well as public property, and help restore order.

In relation to the news from Washington, that the War Department has ordered a company of troops from Willet's Point to rendezvous here for the winter, it should be remembered that Chicago is the headquarters of the Department of the Missouri, and that the government has the same right to order troops into barracks here that it has to station them at Newport, Ky., or Omaha, Nebraska. Governor Palmer is not so ignorant of law as to interpret the National Government where it shall build barracks, and deal out rations to its troops.

In the event that a presentment of General Sheridan should be made in due legal form to a grand jury, it is presumable that the grand jury will be quite as wise as the Chicago *Times*, and will be satisfied with the instructions of the Judge of the court in which they are sitting, and the legal advice of its attorney. Beyond these, there is no authority which has jurisdiction in the premises.

THE NEW HOMES.

It is not the business of those on whom has devolved the care of the sufferers by the October fire, to take thought, particularly of the future of Chicago. Their concern is how shall to feed, and to clothe, and to shelter to-day and to-morrow, this hungry, homeless, half-clad crowd of tens of thousands, in the problem which comes up daily for solution, and of it it is emphatically true that sufficient unto the day is the evil thereof. Nevertheless, the method and the success of relief must have an immense influence upon the immediate resuscitation of the business and prosperity of the city, and, consequently, upon its future welfare. How we shall start in the spring depends very much upon how we shall get through the winter; and how we shall get through the winter depends upon whether we have a laboring population, industrious, thrifty, and contented, or wherein that class shall be idle, impoverished, discontented, vicious, and turbulent. A warm back and a full stomach are the best of police regulations; nothing conduces so much to respect and contentment, and nothing makes a place so attractive. On the other hand, an empty closet, a cold stove, thin and scanty clothing, and insufficient shelter, as they are the certain source of misery, so they are the prolific cause of disorder and crime among those even who, but for such depressions, would be orderly and law abiding. If this were to be the condition of our laboring people for the next five months we might confidently look for no end of trouble: that it is not we may thank those who have the care of this large class in charge, and who will make Chicago not only a good place to live in for those who are here now, but a good place to come to for those to be born, for the next five years, she will remind those who work with their hands.

The mere distribution of food and clothing is a comparatively easy matter. The providing of shelter is a much more complicated business, and far more widespread in its relations. The Shelter Committee, under Messrs. Avery & Harvey, have taken hold of it with a sagacity and energy which are producing already the most remarkable results. The happy thought of separate homes for those who had become homeless was an inspiration. Without this plan not less than 20,000 people would have been huddled together in barracks all winter to the great loss of their individuality, and, consequently, of their self-respect, or have been driven from the city to escape a condition which, with their habits and previous life, would be simply intolerable. But with this plan 20,000 people, hitherto householders, will still be in their own homes, surrounded by the sacred and conservative elements of family, of independence, of respectability, and of individual responsibility, which are so immense a moral force in the community, and without which a community has in it the seeds of anarchy and dissolution. The most striking evidence of the truth of all this is already apparent on the face of things. Three weeks ago the North Side was a wilderness of ashes, a very abomination of desolation, a silent graveyard of lost prosperity and beauty. To-day two-thirds of it, at least, is a busy city, new houses stretching out as far as the eye can reach, covering up, in a measure, the signs of desolation, and showing, in the rapidity with which they are pushed to completion, the new hope and the untiring energy which inspirits the people. The sound of the hammer is heard far into the night; the wagons have about them to lend a helping hand wherever they can; and an intense anxiety is everywhere witnessed to finish and occupy the new houses. And in these will settle down presently a large population, contented, hopeful, thrifty, self-relying and self-respecting which is to build up Chicago, which must be kept in Chicago, and on which its future prosperity must largely rest. A new city has sprung into existence here, as if by magic, on the ruins of the old, the old appliances of gas, of water, of streets, and of pavements being left to complete it. The man who, three weeks ago, looked despairingly on the bare spot where his house once stood, and wondered if that bit of ground would ever be worth anything to him, has been made rich by a gift of lumber, and, in setting up again his household altar, is restored to a possession of positive and recognized value. He has something to reckon on, something which is worth so much by the front foot, and hundreds of city lots are now available as actual property with an actual and fixed value, which, three weeks ago, was only so much land which might be or might not be worth something in the future; for what might be its final disposition, how it was to be settled upon, or when it would be settled upon, the wisest man could not foretell. This settlement of values of real estate is not the least of the benefits which this wise policy of helping the people to provide themselves with homes has bestowed upon the city. But, taken together with the inestimable influence for good that it must have and is having upon so large and important portion of the population, it is evident that, in carrying out the purpose to provide shelter for the homeless, the committee, in adopting the method that they did, "builded better than they knew." It may cost a million of dollars, or even more, but the expenditure will be returned a hundred fold in the future prosperity of this town and people.

INSURANCE ON GRAIN.

The action of the underwriters, in increasing the rates of insurance on grain in store, is better calculated to destroy that business in this city than a dozen fires. Before the fire the rate for insurance on grain in store, was averaged 2 per cent per annum, the rates for shorter terms being proportionately advanced. Since the fire the rate has been advanced to 5 per cent per annum, and the rates for short terms proportionately higher. The annual rate is advanced 150 per cent, and the other in proportion. The average time for which grain in store is insured is ten days. Here are the rates:

"On each $100, 1 year, $5; 9 months, $3.75, or 3 1-2 per cent; 6 months, $2.50, or 7 per cent; 4 months, $2.50, or 7 1-2 per cent; 3 months, $2.00, or 8 per cent; 2 months, $1.50, or 9 per cent; 1 month, $1.00, or 12 per cent; 15 days, 67 cents, or 16 per cent; 10 days, 50 cents, or 18 per cent; 5 days, 25 cents, or nearly 23 per cent; 2 days, 12 cents, or 31 per cent."

These rates are simply ruinous. There is no justification for them. The risks on that kind of property have been the best paying of any kind of insurance done in this city. The danger of loss in elevators has been greatly lessened, by fire, and certainly risks are as safe now as ever. It is moreover an unjust discrimination against this city. Grain in warehouse here is as safe against fire as it is in Buffalo, Milwaukee, Toledo, or elsewhere, and to demand 150 per cent more for insurance in this city than in other places is simply extortion, and should not be submitted to for a day. If these companies in a panic propose to extort from this city the whole amount of their losses within one year, they will find themselves mistaken. They will destroy the business, and eventually lose the profits which they might make at legitimate rates.

THE ELECTION LAW.

There has been a great deal of unwisdom given out by irresponsible parties as to the places where people must vote who have been driven away from their homes by fire.

The clear intention of the law is that persons who are certified to vote shall be allowed to vote. The safeguards and prohibitions and penalties are framed to prevent *illegal* voting, and not to compel a man to vote in a place where he cannot.

The following clauses of the Election law, printed on pages 31 and 32 of the pamphlet edition in the hands of the judges of election, show that it is a person has a *permanent abode* in the election district where he offers to vote, and has resided in the State one year, his vote must be received, if he brings two witnesses who are personally known to the judges of election to testify to the fact of his present *bona fide* residence in the election district, and that he has resided in the State one year. Residence in the ward or district for thirty days in such cases is not necessary. This is the law:

An Act to Provide for Ascertaining the Qualification of Voters and to Prevent Fraudulent Voting.

Whereas, the right of suffrage is the highest privilege of the citizen, and should be guarded with proper riglance against intrusion and fraud for the purpose, therefore, of ascertaining the persons who may be entitled to vote at all general elections held under the laws of this State, and to prevent illegal voting thereat,

Section 1. Be enacted by the people of the State of Illinois, represented in the General Assembly, That to constitute residence, under the constitution and election laws of this State, a permanent abode is necessary, and at all elections, general or special, held in any town, city or district, every person desiring to vote who is not personally known to the judges and inspectors of election to have permanent abode, and to have resided in such district for a space of thirty days immediately preceding such election, shall, if his vote be challenged, take an oath how required by law, and, in addition thereto, to swear or affirm to his place of business, specifying the particular street and house in which he resides, and certify how long he has there resided, and his business for employment; and if he has not resided in such house for thirty days immediately preceding such election, he shall state the time and place where he has resided since he last voted in this district, and, in addition thereto, such voter, so challenged, shall be required to produce two witnesses, both of whom are personally known to said judges of said election and resident in the precinct, district, or ward, or shall be proved by some other competent evidence of the precinct in which in which such vote is offered to be voted that he who shall be known and sworn by each of whom shall take the following oath to be administered by one of the judges of said election:

"I do solemnly swear or affirm, as the case may be, that I am a resident of this election district, and have resided in the county and district (naming the same) in which I now offer to vote for thirty days next preceding this election, and that I am a legal voter of this election district, and that he is a resident of the same district and has resided in this county for one year next past."

Any judge of election refusing to receive a vote so attested is liable to be fined five hundred dollars and to be imprisoned in the County Jail three months.

The Reform party in New York or rather the noble which all people in favor of reform, peace and order, regardless of party, is running a ticket which almost challenges inspection for the office of Register of Chicago is not of personal merit. Upon it are General Sigel for Register, and a list of Aldermen composed of the best citizens; while for Judges of the Supreme and Superior Courts, to displace the creatures of Tammany, are ex-Judge Barrett, who has been leading the recent prosecution of the Ring, and John Sedgwick and William F. Curtis—all lawyers of eminent standing. Mr. Charles O'Conor has declined to run for the Assembly, on account of his pressing professional duties connected with the cause which all good citizens have equally at heart—the defeat and punishment of the Tammany Ring. His place has been supplied by Hon. Horatio Seymour, who, though he does not reside in the district for which he is nominated, and although his political record is obnoxious to many, is supported by the Republican papers as no count of his personal rectitude.

The only danger to the success of the Union ticket at the forthcoming election is in the perfect confidence which every one has that it will be elected. No ticket can be elected without work and without votes. To secure both, the advocates of the ticket, supposing that its excellence will carry it safely through, relax in their work or else at home themselves from the polls, its success is endangered. Indifference or over-security in such an emergency as this is little less than criminal. The success of the ticket is a guarantee of future prosperity; its defeat will be a crushing blow to our municipal credit. Let every man, therefore, work with his whole energy to elect the Union ticket, as one of the most important auxiliaries to the rebuilding of Chicago.

Mr. K. K. Jones, of Quincy, in one of the 250 speeches made by him to his fellow constituents at Jackson's Hall, remarked that the ticket on which he has a place is a "heavy ticket." He will find it exceedingly heavy to pull through when Tuesday comes around.

Mr. Jones evidently did not like the odor of his *confreres* very well, for he was constantly sniffing and sneezing at the ticket, and vowing that he would not serve as a candidate unless a good deal of disinfecting was done. But the "convention" (so-called) refused to disinfect, and Jones, whispering he would new consent, consented.

Mr. Jones will not have any occasion to move to Chicago in order to serve as Treasurer, for the Mississippi River is nearer to Lake Michigan than Jones is to an election.

One by one the English Peers who have been committed to the new social alliance with the workingmen, by various foreign journals, are hanging that they have signed any such compact. The real truth, concerning the new movement, seems to be that an interview has been held between the Peers and the proletariat, at which the former expressed sympathy with the reforms asked by the latter, but no formal action has yet been taken to organize either a party or a platform. There seems to be but little doubt, however, judging from the testimony of all the English journals, that the formation of such a party is certain in the not distant future.

The people of Chicago will remember the contumacious Thomas, the engineer of the Court House building, and the great amount of luck to rid the county of his official presence. He was aided in his operations by his brother, who was also a county official.

The convention of dead-beats have hunted up this brother, and have nominated him for County Commissioner, along with a squad of the old corrupt Board of Supervisors. These are the men to whom these scallywags propose to commit the power of levying taxes and disbursing the revenue of this county for the next six years.

Mr. Atwood, who purports to be a lawyer of Chicago, and who is in pursuit of a Judgeship on the Circuit bench, is about the only man on the ticket who has not been prominently identified with the bad administration or abetting legislation which has cursed the city from year to year. Mr. Atwood stated in his speech that he "accepted because he did not know how to decline the nomination." This is probably as true as anything uttered in the nominees' convention. Declining nominations for drinks paid for by other people is one of the lost arts among the lumming fraternity, which this ticket represents. But fortunately the people "know how to decline" to ratify such nominations.

Mr. Artemas Carter, one of the oldest and most respected citizens of Chicago, now a resident of Winetka, has been nominated for State Senator on the Union ticket, and is opposed by a self-nominated person named Mann, who recently came here from Cairo. It is unnecessary to say anything against Mann. He may be a very clever man for aught we know, but the people of Cook County know Mr. Carter and know his high personal character, his long and honorable experience in public affairs, and will gladly avail themselves of his services in the State Senate.

By the inadvertent dropping of a line from an extract from the New York *Economist*, to the money article yesterday, we were made to say that the firms of Field, Leiter & Co., Field, Benedict & Co., Henry W. King & Co., Charles P. Kellogg & Co., H. A. Kohn & Bro., Leopold, Kuh & Co., Cahn, Wampold & Co., S. Frank & Co., C. Summerfield & Co., Price, Mansfield & Co., Stein, Kramer & Co., Osterhaus & Weimann, Clayborn, Einstein & Co. would pay in full as 6, 7 and 10 months. What the *Economist* said was that these firms would pay in full as 6, 7 and 10 months. What the *Economist* said was that these firms would pay in full *at maturity*, and that is the fact.

LAND TITLES.

Letter from Judge Clary.

To the Editor of the Chicago Tribune:

SIR: I would say only a few words on the subject of land titles. By parties *in possession* I mean those who desire to sell, or borrow, no relief is needed. Possession is the best title that any man can now show. The community at large, however, do need such assurance of their titles as will induce cautious capitalists to buy part of, or lend money upon, the real estate in this county. No *ex parte* decision made by one tribunal, as to where the title is, will suffice for them. Laws providing that such declaration shall be *prima facie* evidence of title (if constitutional, which I do not believe), will not help the matter. No man except he be very busy changes in a lottery, buys upon such a title, or lends money upon it at all. I have ventured, in my limits of a bill, to suggest a plan to relieve that difficulty. Evidence of lost records, etc., such notes or copies thereof, or what purport or are alleged to be lost documents may believe to be fairly and honestly made, or found on records, etc., in the usual course of business, before they were destroyed. I hesitate to say that even so much is valid. The objection to some cases will be that a party in possession, claiming, and therefore presumed by law, to be the owner, shall have taken from him, by retroactive legislation, his property without such legislation, was his. Casuals of your have opportunity, 13 Ill. R. 138, and 15 Ill. R. 256. The public will, I do not think, for instance, favor real estate, where the title cannot be brought down to the *government*, to the decree of a court, made upon the hearing of the cause, if it is to guard against fraud. Indeed, that is another point of fact that will furnish a basis upon which money can be got. And there is a danger to be guarded against in the following: Suppose a decree is rendered in behalf of A, and appealed. This danger springs from the fact that it is much easier to supply the remedy which honest men need in consequence of the tarrying of the record, than it is to guard against fraud. But thieves shall not steal the honest men's lots. Nothing but notice to the honest men will or can prevent such a result. No servitude which does offend, need be here enumerated, as the title in fee proper, and not attenuated by adverse interest, can descend upon the available title which the deed will convey. All valid. The subject is full of difficulties; special legislation, and the exercise of judicial powers by other tribunals than the courts, meet with constitutional objections. Courts must have the parties before them, by actual or constructive notice, or their adjudications are void. Constructive notice, where actual can be given, opens the door to frauds. Care to endeavor than the existing inevitable. The wit of man has never devised a system by which justice could be fully, and no injustice done. The utmost that we can hope is that the good done shall far exceed the evil which is not prevented.

JOSEPH E. GARY.

Perfecting Titles.

CHICAGO, November 3.

To the Editor of the Chicago Tribune:

SIR: All owners of real estate in Cook County are interested in the discussion of the question as to the best means of perfecting their titles; and any suggestions from whatever source ought to receive some attention.

Judge Gary's draft of a law provides, in substance, that each property owner shall commence a suit in the nature of a chancery proceeding, asserting title to the property and calling upon all known and unknown claimants (if any) to contest his title; the court to render such decree as may be required by the evidence in the case.

There are many objections to this mode; the principal ones are: 1. The delay, whereby one can see that it will be years before all such suits can be commenced and finally decided; 2. the expense; 3. that much blackmailing will take place by parties setting up claims to delay the prompt adjudication of the title, unless they are bought off; and 4. that many property owners will not know how to proceed, and will be "choked" by the way of proceeding.

Something more speedy, and of more general effect, is desirable.

Our abstract offices have saved books which show a complete chain of title to every piece of property in Cook county; and in every instance where such a chain does not have now saved letters which will show the extracts made by them, and these copies show substantially all that was shown by the court records and Recorder's office records.

We have bought and sold property, loaned money and transacted all our real estate business for years, upon the faith that those abstracts and claims of title were correct.

Why cannot the General Assembly appoint a commission to examine the books of these abstract offices, and select from them a set of books which will contain, substantially, all that was shown by the destroyed records?

Let the State or county purchase this set of books, place them in legal custody, i. e., in the Recorder's office, and the Legislature pass an act declaring that such books shall be *prima facie* evidence of title; in other words, that the title shall be as shown by the books, until the contrary is made to appear by some better evidence.

There is no doubt as to the power of the Legislature to declare what shall be *prima facie* evidence of title.

This plan appears entirely feasible, if the general office have saved what common report gives them credit for.

Such a law will settle titles at once. There will, in fact, be less uncertainty as to titles than there was before the fire, as many "technicalities" will no longer have an existence. The *substantial* of the title only will exist.

The private *bona fides* as made by such books, could not be overthrown in one case out of ten thousand.

We know that these abstract books are correct, and have trusted them in the past; why not trust them in the future?

T.

THE COURTS.

Return Home of Judge Drummond—Opening of the United States Courts—Proceedings in Bankruptcy—All the Courts to be in Session Next Monday.

UNITED STATES COURTS.

The courts of the United States were opened, in Congress Hall, yesterday, Judge Drummond and Blodgett being present. Judge Drummond was at Cologne when he received information that Chicago was burning; within two hours of the moment when he obtained the information he was on his way toward the city in which, for over a score of years, he has held court. Upon his return, his first act was under the provisions of the bankrupt law, to act for the District Judge (Blodgett) who was absent at Washington, to issue a rule against the Republic Insurance Company to show cause why it should not be adjudged bankrupt. Since then, a warrant of seizure has been issued upon the order of Judge Blodgett, who, on his own motion, is now in session.

The United States Courts (Circuit and District), having the benefit of recent Congressional legislation, by the replacement of lost records, is now ready for business. There have been some new suits brought in each court, and in each branch of the courts.

John Gwynn, as owner of the schooner Josephine, has his action against the schooner J. Hipple, of Detroit, to recover $5,000 as damage resulting from a collision on the 12th of October, at about one p. m., off Amsterdam, Sheboygan County, Wis.

The Wisconsin National Bank of Janesville, Wis., has brought suit against James R. Gordon and Lucius Gordon, of Janesville, to recover $5,000.

Charles H. Walker brought the suit against James R. Gordon and Lucius Gordon, alleged to be bankrupts, in the Circuit Court.

DISTRICT COURT.

On the 30th day of October last there was filed on behalf of John V. Farwell & Co., a petition for an adjudication of bankruptcy against Thurber, Whyland & Co., and a subpœna was issued returnable on the 2d inst. Upon the petitioning creditors came in with their affidavit, the first of its kind, setting forth that the firm of Thurber, Whyland & Co. had, in their books, in court copies of the original papers served upon them, with a view to the bankruptcy proceedings.

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